

RECEIVED
CENTRAL FAX CENTER
AUG 01 2007

Docket No.: DEV07001USU
Serial No.: 10/804,598

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Santomassimo et al.

DOCKET NO.: DEV07001USU

SERIAL NO.: 10/804,598

GROUP ART UNIT: 3764

DATE FILED: March 19, 2004


EXAMINER: Richman, Glenn E.

CONFIRMATION NO.: 9559

TITLE: USER INTERFACE FOR A RESISTANCE TRAINING DEVICE AND METHOD OF
USE

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-8300 on August 1, 2007.

August 1, 2007


Bonnie S. Sheridan

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

Sir:

Transmitted herewith is a response to the Office Action mailed on July 2, 2007.

STATUS

Applicant is a small entity.

RECEIVED
CENTRAL FAX CENTER

AUG 01 2007

Docket No.: DEV07001USU

Serial No.: 10/804,598

EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply. It is believed that no extension of time is required.

No additional fee for extension of time is required.

However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

The fee for claims (37 CFR § 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	Small Entity	
	Claims remaining after amendment		Highest no. previously paid for	Present extra	Rate	Additional fee
Total	14	minus	36	= 0	x \$25 =	\$0
Indep.	01	minus	05	= 0	x \$100 =	\$0
First presentation of multiple dependent claim					+ \$180 =	\$0
TOTAL ADDITIONAL FEE						\$0

* If the entry in column 1 is less than the entry in Col. 2, enter "0" in Col. 3.

** If the "Highest no. previously paid for" in Col. 2, Row 1 is less than 20, enter "20".

*** If the "Highest no. previously paid for" in Col. 2, Row 2 is less than 3, enter "3".

The "Highest no. previously paid for" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment of the number of claims originally filed.

No additional fee for claims is required.

**RECEIVED
CENTRAL FAX CENTER**

AUG 01 2007

Docket No.: DEV07001USU

Serial No.: 10/804,598

FEE DEFICIENCY

If any additional extension and/or fee is required, please charge Deposit Account No. 50-2542.

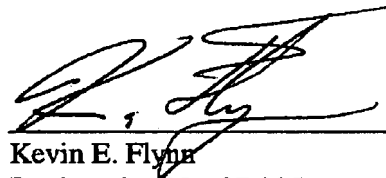
If any additional fee for claims is required, please charge Deposit Account No. 50-2542.

Respectfully submitted,

THE ECLIPSE GROUP LLP

Date: August 1, 2007

By:



Kevin E. Flynn

Registration No. 37,325

The Eclipse Group LLP

5003 Southpark Dr., Suite 260

Durham, NC 27713

Phone: (919) 313-6162

Fax: (919) 313-6170

Customer No. **34408**

RECEIVED
CENTRAL FAX CENTER

AUG 01 2007

PATENT
Docket No: DEV07001USU
Serial No.: 10/804,598

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Santomassimo et al.

DOCKET NO.: DEV07001USU

SERIAL NO.: 10/804,598

GROUP ART UNIT: 3764

DATE FILED: March 19, 2004

EXAMINER: Richman, Glenn E.

CONFIRMATION NO.: 9559

TITLE: USER INTERFACE FOR A RESISTANCE TRAINING DEVICE AND METHOD
OF USE

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-8300 on August 1, 2007.

August 1, 2007

Bonnie S. Sheridan
Bonnie S. Sheridan

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**REPLY TO OFFICE ACTION MAILED JULY 2, 2007
AND AMENDMENT**

This paper is responsive to the Office Action dated July 2, 2007, for which a shortened statutory period for reply is set to expire on August 2, 2007.

The Examiner states that "Restriction to one of the following inventions is required under 35 U.S.C. 121:"

- I. Claims 1-12, drawn to a process of displaying and recording resistance training parameter, classified in class 482, subclass 8.

Appl. No.: 10/804,598
Amendment dated August 1, 2007
Reply to Office Action of July 2, 2007

RECEIVED
CENTRAL FAX CENTER
AUG 01 2007

II. Claims 13-26, drawn to an electronic recording device, classified in class 434, subclass 247.

III. Claims 27-35, drawn to a system for setting up, recording, and tracking a resistance training workout, classified in class 601, subclass 23.

IV. Claim 36, drawn to a wristwatch, classified in class 600, subclass 300.

Assignee, Devici, Inc. hereby elects Group II, claims 13-26, drawn to an electronic recording device, classified in class 434, subclass 247, and cancels claims 1-12 and 27-36 without prejudice.

Amendments to Specification – None.

Amendments to Claims – Begins on page 3.

Amendments to Drawings – None.

Remarks/Arguments – Begins on page 6.